

1 Stephen D. Finestone (125675)
Jennifer C. Hayes (197252)
2 Ryan A. Witthans (301432)
FINESTONE HAYES LLP
3 456 Montgomery Street, 20th Floor
San Francisco, California 94104
4 Telephone: (415) 616-0466
Facsimile: (415) 398-2820
5 sfinestone@fhlawllp.com
jhayes@fhlawllp.com
6 rwitthans@fhlawllp.com

7 Attorneys for Creditor
Roebbelen Contracting, Inc.
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10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 In re
14 PG&E CORPORATION,
15 Debtor-in-Possession.

Case No. 19-30088-DM

Chapter 11

16 In re
17 PACIFIC GAS AND ELECTRIC
18 COMPANY,
19 Debtor-in-Possession.

Case No. 19-30089-DM

Chapter 11

**DECLARATION OF STEPHEN D.
FINESTONE IN SUPPORT OF
ROEBBELEN CONTRACTING, INC.'S
OBJECTION TO CONFIRMATION OF
DEBTORS' PLAN OF
REORGANIZATION**

21 Date: May 27, 2020
22 Time: 10:00 a.m.
23 Ctrm: 450 Golden Gate Ave., 16th Floor
San Francisco, CA 94102

24 I, Stephen D. Finestone, declare as follows:

25 1. I am an attorney admitted to practice law in the State of California and in this
26 Court. I am a partner in Finestone Hayes LLP, counsel to Roebbelen Contracting, Inc.
27 ("Roebbelen"). This declaration is submitted in support of Roebbelen's objection (the
28

1 “Objection”) to Debtor’s Plan of Reorganization (the “Plan”). If called as a witness I could and
2 would testify competently to the matters set forth below.

3 2. Roebbelen is a California general contractor specializing in building construction
4 and construction management. It performed work for PG&E and continues to do so, unrelated to
5 vegetation management or fire prevention.

6 3. Roebbelen filed an initial proof of claim, followed by an amended proof of claim.
7 The amended proof of claim lists a debt of \$20,783,500.46 (the “Roebbelen Claim”). A portion
8 of the Roebbelen claim is secured pursuant to various notices of mechanics liens filed pursuant to
9 Bankruptcy Code Section 546(b)(2). (See, e.g. ECF 3858).

10 4. At the time it filed its amended claim, on or about December 10, 2019, the secured
11 portion of the Roebblen Claim was approximately \$3,780,000. As such, the Roebbelen Claim is
12 subject to treatment under the Plan as a Utility Other Secured Claims – Class 1B, and as a Utility
13 General Unsecured Claim – Class 4B. The Plan lists both claims as unimpaired and Roebbelen
14 has accordingly not voted on the Plan.

15 5. The Objection is limited to Roebbelen’s treatment as a Class 1B secured creditor
16 pursuant to Section 4.16 of the Plan. Roebbelen’s objection is based upon the fact that absent
17 certain clarifications or changes, the Plan does not provide Roebbelen with unimpaired treatment.
18 With respect to Roebbelen’s secured claims, I am informed and believe that the value of the
19 collateral securing those claims significantly exceeds the amount of the claims.

20 6. On April 16, 2020, I wrote to counsel for the Debtors identify concerns over the
21 language of Section 4.16 and expressing the points set forth in the Objection.

22 7. After sending the letter, I spoke with Debtors’ counsel, Stephen Karotkin,
23 regarding the contents of the letter. I later spoke with two other attorneys in Mr. Karotkin’s firm,
24 Jessica Liou and Tom Schinckel, regarding the same issues.

25 8. I do not wish to disclose the contents of those conversations to the extent counsel
26 for the Debtors may have considered them settlement discussions.

27 9. I requested that the Debtors either revise the Plan or provide separate written
28 confirmation to deal with Roebbelen’s concerns.

1 10. As of the time of filing this declaration I have not received a response to my
2 request.

3 I declare under penalty of perjury that the foregoing is true and correct. Executed this 15th
4 day of May 2020 in San Francisco, California.

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7 /s/ Stephen D. Finestone
 Stephen D. Finestone
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